



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 19 जुलाई, 2004/28 आषाढ़, 1926

हिमाचल प्रदेश सरकार

OFFICE OF THE SECRETARY NAGAR PANCHAYAT BHOTA DISTRICT HAMIRPUR NOTIFICATION

Bhota, the 22nd December, 2003

No. 1219/N. P./2003.—The following Building Bye-Laws made by the Nagar Panchayat, Bhota in exercise of the powers conferred by section 204 of the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) having been previously published by the Nagar Panchayat Bhota and confirmed by the State Government as required under section 217 (1) of the aforesaid Act, are hereby published, for general information of the general public and shall come into force within the limits of Nagar Panchayat, Bhota from the date of publication of this Notification in the Rajpatra, Himachal Pradesh (Extra ordinary).

DRAFT BUILDING BYE-LAWS OF NAGAR PANCHAYAT BHOTA

PART-I ADMINISTRATION

1. Short title extent and commencement.—(1) These bye-laws may be called the Nagar Panchayat Bhota, Building Bye-Laws, 2004.

1.2 These bye-laws shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. *Definitions.*—In these bye-laws, unless the context other wise requires,—

1. "Act" means the Himachal Pradesh Municipal Act, 1994 (13 of 1994);
2. "addition to the building" means addition to the cubic contents or to the floor area of building;
3. "alteration" means a change from one occupancy to another, or a structural change such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the column, beam joint, floor or other support or a change to or closing of any required means of ingress or egress or a change to the fixtures or equipment;
4. "applicant" means and includes a person who gives notice to the Nagar Panchayat of his intention to erect or re-erect a building on a plot of land of which he/she is a owner and shall include his authorized representatives;
5. "assembly building" means and shall include any building or part of a building where group of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes, for example theatres, motion picture houses, assembly halls, auditoria, exhibition halls, museums, skating rinks, gymnasium, restaurants, places of worship, dance halls, club rooms, passenger stations and terminals of air surface and other public transportation services, recreation piers and stadia;
6. "balcony" means a horizontal cantilevered or projection including a handrail, balustrade to serve as passage or sitting out place;
7. "basement storey" means the storey which is next below the ground storey or which is in any part for more than half of its height below the main level of the street or ground adjoining the principal entrance to the building;
8. "building height" means the vertical distance measured from the plinth level to ridge level of the roof. Architectural feature serving no other function except that of decoration shall be excluded for the purpose of taking height ;
9. "building line" means the line up to which the plinth of a building adjoining a street or extension of a street or on a future street may be lawfully extended and include the lines prescribed, if any in any scheme ;
10. "business building" means and shall include any building or part of a building which is used for transaction of business, for the keeping of accounts and records for similar purposes, doctors service facilities, barber shops, beauty parlour, city halls, town halls court houses, libraries shall be classified in this group in so far as principal function of these transactions of public business and the keeping of books and records ;
11. "ceiling height" means verticle distance between the floor and the ceiling ;
12. "chhajja weather shed" means a continuous sloping or horizontal over hanging over the open space not exceeding 45 cm in width ;
13. "chimney" means the construction by means of which a flue is formed for the purpose of carrying the products of combustion from a heat producing alliance to the openair. Chimney includes chimney stack and the flue pipe ;
14. "courtyard" means space permanently open to sky, enclosed fully or partially by building and may be at ground level or any other level within or adjacent to a building ;

15. "covered area" means the ground area immediately above the plinth level covered by the building but does not include the space covered by,
 - (a) garden, rockery plant, nursery, water -pool, swimming pool (if uncovered), platform round a tree, tank fountain, bench and the like;
 - (b) drainage, culvert, conduit, catch-pit, gully pit, chamber, gutter and the like ;
 - (c) courtyard, compound wall, gate, slide swing canopy, porch areas covered by chhajja, watchman hut or alike projections and steps of natural profile which are uncovered and open to sky ; and
 - (d) approach bridge (covered/uncovered) from public street, path and road to the building at any floor level.
16. "damp proof course" means a course consisting of some appropriate water proofing material provided to prevent penetration or dampness or moisture from any part of the structure to any other part at a height of not less than 15 cm above the surface of the adjoining ground ;
17. "drainage" means the removal of any liquid by a system constructed for the purpose ;
18. "dry area" means the space between the hill slope and building which is properly protected by breast wall/retaining wall and is open to sky to facilitate free circulation of air and light and prevent the building from dampness ;
19. "educational building" means and shall include any building used for school, college or daycare purposes involving assembly for instruction, education or recreation and shall also include cretche(s) ;
20. "existing building or its use" means a building structure or its use as sanctioned/ approved/regularized by the Nagar Panchayat existing before the commencement of these bye-laws;
21. "external wall" means an outer wall of a building not being a partition wall even though adjoining to wall of another building and also means a wall abutting to an interior openspace of any building ;
22. "fire resisting material" means material which has certain degree of fire resistance ;
23. "floor" means the lower surface in a storey on which one normally walks in a building.

Note.—The sequential numbering of floor from the major street shall be determined by its relation to the determining entrance level. From the major street for floors at or wholly above ground level the lowest floor in the building with direct entrance from the road/street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as floor -1, and floor-2 etc. with number increasing upwards ;

24. "floor area ratio (FAR)" means the quotient obtained by dividing the total covered area on all floors by the area of the plot, i. e. :—

$$\text{FAR} = \frac{\text{TOTAL COVERED AREA OF ALL FLOOR}}{\text{PLOT AREA}}$$

Note.—For the purpose of this part covered area equals the plot area minus the area due or open spaces in the plot.

25. "flue" means a confined space provided for the conveyance to the outer air of any product of combustion resulting from the operation of any heat producing appliance or equipment employing solid, liquid or gaseous fuel;
26. "foting" means a foundation unit, constructed in brick, work, masonry or concrete under base of a wall or column for the purpose of distributing the load over large area;
- 26-A. "Form" means a form appended to these to these bye-laws ;
27. "foundation" means that part of the structure which is in direct contact with and transmitting load to the ground;
28. "front" in relation to a building means generally the portion facing the major street from which it may or it may not have any access;
29. "private garage" means a building or out house designed or used for the storage of private owned motor driven or other vehicles;
30. "habitable room" means room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, kitchen if it is used for living room but not including bathrooms, water closer compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently;
31. "hazardous building" means and shall include any building or part of a building which is used for the storage, handling manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and which may produce poisonous fumes or explosion for storage, handling, manufacturing or processing which involve highly corrosive toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust which result in the divisions of matter into fine particles subject to spontaneous ignition;
32. "industrial building" means and shall include any building or part of a building or structure, in which product or material of all kinds and properties are fabricated, assembled or processed, refineries, gas plants, mills, dairies, factories etc;
33. "institutional building" means and shall include any building or part thereof which is used for the purposes such as medical or other treatment or care of persons suffering from physical or mental illness, disease of infirmity care of infants, convalescents or aged persons and for penal or correctional detention in which the liberty of the inmates is restricted, hospitals, sanatoria, custodial institutions and penal institutions like jails, prisons, mental hospitals and reformatories;
34. "registered licensed Architect/Engineers/Plumbers" means a qualified Architect, Engineer, Plumber, who has been enrolled/licensed by the Nagar Panchayat or any other officer authorized under the provisions of the Act;
35. "masonry" means an assemblage of masonry units properly bounded together with mortar;

36. "mumty or stair cover" means a structure with covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation ;
37. "mezzanine floor" means an intermediate floor between two floors level above ground floor and at least one side of it should form an integral part of space/floor below and shall form a part of F.A.R. ;
38. "Occupancy or use group" means the principal occupancy for which a building or a part of a building is used or intended to be used, for the purpose of classification of a building according to the occupancy. An occupancy shall be deemed to include subsidiary occupancies which are contingent upon it ;
39. "open space" means an area, forming an integral part of the site, left open to the sky ;
40. "parapet" means a low wall or railing built along the edge of a roof or a floor ;
41. "parking space" means an area enclosed or unenclosed, covered or open, sufficient in size to park vehicles, together with a drive way connecting the parking space with a street or alley and permitting ingress and egress of the vehicles ;
42. "partition" means an interior non-load bearing wall, one storey or part storey in height ;
43. "plinth" means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground ;
44. "plinth area" means the built up covered area measured at the floor level of the basement or of any storey ;
45. "plot" means a piece of land enclosed by definite boundaries ;
46. "porch" means a covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building ;
47. "residential building" means and shall include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, dormitories, apartment houses and flats and hostels ;
48. "room height" means the vertical distance measured from the finish floor surface to the finished ceiling ;
49. "row housing" means a row of houses with only front, rear and interior open space ;
50. "site office" means a room(s)/ shed constructed, temporarily on the plot or the site of the construction that may be permitted by the Nagar Panchayat for a limited period during the construction of the building ;
51. "site or plot" means a parcel/piece of land enclosed by definite boundaries ;
52. "storage" means a space where goods of any kind or nature are stored ;
53. "storage building/godown" means and shall include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise

like ware houses, cold storages, freight depot, transit-shed, store houses, garrages, hangers, truck terminals, grain elevators, barns and stables ;

54. "store room" means a room used as storage space ;
 55. "storey " means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above. It, then the space between any floor and the ceiling next above it ;
 56. "street" shall mean any road, foot way, square, court, alley gully of passage, accessible whether permanently or temporarily, to the public and whether a thoroughfare or not, and shall include every vacant space not-with standing that it may be private property and partly or wholly constructed by any gate, post, chain or other barrier, if houses shops or other buildings abut thereon, and if it is used by any person as means of access to or from any public place or thorough fare, whether such persons are occupiers of such buildings or not but shall include any part of such space which the occupier of any such building has right at all hours to prevent all other persons from using as aforesaid and shall include also the drains or gutters therein, or on either side or the land, whether covered or not by any pavement verandah or other erection, upto the boundary of any abutting property, not accessible to the public ;
 57. "to about" means to be positioned just apposed to a road, lane, open space, building etc ;
 58. "terrace" means the open space at roof level or at any floor level ;
 59. "water closet (WC)" means a privy with arrangement for flushing the Pan with water ;
 60. "window" means an opening to the outside other than a door which provides all or of the required natural light or ventilation or both to an interior space and not used as a means of egress/ ingress.
- 2.02 All other words and expression not defined in these bye-laws shall have the same meanings or sense as in Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994).
- 2.03 All mandatory Zonal Plan regulation regarding use, coverage, set backs, open spaces, height, number of storeys, parking standards etc. for various categories of building including modification thereon made from time to time shall be applicable *mutatis mutandis* in the building regulations under these bye-laws. All amendments/modifications made in those regulations will automatically be included as part of these bye-laws.

3. Applicability of bye-laws.—(1) Subject to the provision of the Act, these building bye-laws shall apply to the building regulation activity in Bhota Nagar Panchayat Area under the jurisdiction of Nagar Panchayat, Bhota as under :—

- (a) where a building is erected, the bye-laws shall apply to the design and construction of the building ;
- (b) where the whole or any part of the building is removed, the bye-laws shall apply to all parts of the building whether removed or not ;
- (c) where the whole or any part of the building is demolished, the bye-laws shall apply to any remaining part and to the work involved in demolition ;
- (d) where a building is altered, the bye-laws shall apply to the whole building whether existing or new except that the bye-laws applied only to a part if that part is completely self contained with respect to facilities and safety measures required by the bye-laws ;
- (e) where the occupancy of a building is changed, the bye-laws shall apply to all parts of the building affected by the change.

(2) **Existing Approved Building.**—Nothing in these Bye-laws shall require the removal, alteration or abandonment, nor prevent continuance of the use or occupancy of an existing approved building, unless in the opinion of the Nagar Panchayat such Building constitutes a hazard to the safety of the adjacent property or the occupants of the buildings itself.

4. **Interpretation.**—In these bye-laws, the use of present tense include the future tense, the masculine gender includes the feminine and the neuter, the singular number include the plural and the plural include the singular. The word "Person" includes Nagar Panchayat as an individual, writing includes printing and 'typing' and 'signature' includes thumb impression made by a person who cannot write if his name is written near to such thumb impression.

5. **Building sanction required.**—No person shall erect, re-erect or make alteration or demolish any building or cause the same to be done without first obtaining a separate building sanction for each such building from the Nagar Panchayat.

6. **Pre-code building sanction.**—If any building for which sanction has been issued before the commencement of these bye-laws, if not wholly completed within a period of two years, from the date of such sanction, the said sanction shall be deemed to have lapsed and fresh sanction shall be necessary to proceed further with the remaining work.

PART—II

7. Procedure for obtaining building sanction :—

7.1 **Notice.**—Every person who intends to erect, re-erect a building or execute any of the works specified in section 203 and 204 of the Act, shall give a notice in writing to the Nagar Panchayat in Form-I and such notice shall accompany with building plans in six-copies. The plans may be in ordinary print on ferro paper, one of the them shall be on tracing cloth. The following other documents shall also be attached along with notice :—

- (a) Sale-deed or lease deed, tatima, jamabandi and demarcation report etc. duly accompanied by an annexed site plan giving the physical description of the plot/property. In such cases where lease deed has not been executed no objection certificate from the lesser shall be submitted ;
- (b) no objection certificate from the Town and Country Planning Department regarding land use as per Interim Development Plan/Development Plan/ Zonal Plan/ wherever required;
- (c) approval from the Chief Inspector of Factories in case of Industrial Building;
- (d) approval from Chief Controller of Explosive Nagpur and Divisional Fire Officer Himachal Pradesh in case of hazardous buildings ;
- (e) structural design duly prepared and signed by registered qualified structural Engineer in Form-2 ;
- (f) at least two photographs of proposed site from different angles.

7.1.1. The applicant who intends to erect building shall fix the boundary pillars at site before giving the notice for such erection.

7.2 **Key plan and approval of site.**—A key plan drawn to a scale of not less than 1:1000 shall be submitted along-with notice, showing boundary location of the site with respect of neighbourhood landmarks.

7.3 Site Plan.—The site plan sent with the notice under bye-law 7.1.1. shall be drawn to a scale of not less than 1:200 and shall show :—

- (a) the boundaries of the site and of any contiguous land belonging to the owner thereof;
- (b) the position of the site in relation to neighbouring street ;
- (c) the name of the street in which the building is proposed to be situated, if any;
- (d) all existing building standing on, over or under the site ;
- (e) the position of the building and of all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a) relation to :—
 - (i) the boundaries of the site and in case where the site has been partitioned, boundaries of the portion owned by the applicant(s) and also the portions owned by other;
 - (ii) all adjacent streets, buildings (with number of storeys and height) and premises within a distance of 12m of the site and of the contiguous land (if any) referred to in (a) ; and
 - (iii) if there is no street within a distance of 12 m of the site, the nearest existing street ;
- (f) the means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a) ;
- (g) space to be left about the building to secure a free circulation of air, admission of light and access for scavenging purposes ;
- (h) the width of the street (if any) in front and of the street (if any) at the side or rear of the building ;
- (i) the direction of north point relative to the plan of the building;
- (j) any existing physical features such as nallah, drains, trees monuments/ landmarks etc. ;
- (k) the ground area of the whole property and the breakup of covered area on each floor with the calculation for percentage covered in terms of the total area of the plot as required under the bye-laws governing the coverage of the area ;
- (l) parking plan indicating the parking spaces for all buildings except for individual residential buildings ;
- (m) the proposed building shall be fixed with permanent features ;
- (n) disposal of waste water/sewage water ;
- (o) drain to be connected with Nagar Panchayat, nallah/drain ; and
- (p) any other document/information as may be considered essential by the applicant.

7.4 Building plan.—The plans of the building and elevation and sections accompanying the notice shall be drawn to a scale of 1:100. The plan shall :—

- (a) include floor plan of all floors together with the covered area clearly indicating the size and spacing of all framing members and sizes of rooms and the position and width of staircases, ramps and other existing way, lift wells, lift machine room and lift pit details ;
- (b) show the use or occupancy of all parts of the buildings ;
- (c) show exact location of essential services, for example, water closet, sink, bath water storage tanks and the like ;
- (d) include, sectional drawings showing clearly the sizes of the footings thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials, the section shall indicate the heights of building and rooms and also the height of the parapet and the drainage and slope of the roof. At least one section should be taken through the staircase, kitchen and toilet, bath and water closet ;
- (e) show front, side and rear elevations and all the elevation if the building is open from all the sides ;

- (f) indicate details of service privy, if any ;
- (g) give dimensions of the projected portions beyond the permissible building line ;
- (h) include roof plan indicating the drainage and the slope of the roof;
- (i) give indications of the north point relative to the plan ;
- (j) details of parking space if provided ;
- (k) give indication of all doors, windows and other openings including ventilators with sizes in proper schedule form ;
- (l) such other particulars as may be required to explain the proposal clearly and as prescribed by the Nagar Panchayat ;
- (m) contour plan of the site ;
- (n) level of each floor with respect to road/ paths/ street ; and
- (o) total height of the building .

Note.—The drawings comprising of all the requirements from (a) to (o) should be prepared and signed by registered Engineer.

7.5 Service Plan.—Plans, elevations and sections of private water supply, sewerage disposal system and details of building services, where required by the Nagar Panchayat shall be made available on a scale not less than 1:100.

7.6 Specifications.—General specifications of the proposed construction giving type and grade of material of public use in Form-3 duly signed by the registered Engineer shall be shown accompanying the notice. In addition to this, the specification be written on one side of the plan being submitted for sanction.

7.7 Dimensions.—All dimensions shall be indicated in metric units.

7.8 Colouring Plan :

(a) *Colouring notations for plans.*—The plan shall be coloured as specified in Table-I. Further prints of plans shall be on one side of paper only.

TABLE-I

Sl. No.	References	Colour
1.	Proposed Work	Red
2.	Existing Work	Green
3.	Boundary	Yellow
4.	Road/Path	Black
5.	Drain	Blue
6.	Sewerage	Brown
7.	Work proposed to be demolished	Orange

7.9 Supervision.—Notice shall be further accompanied by a certificate of supervision in Form-4 and Form-5 duly signed by the registered Engineers, as the case may be.

- 7.10 Signing of Plans.**— All the plans shall be duly signed by the owner and Engineer registered with Nagar Panchayat, Bhota and shall indicate their names and address and registration number.
- 7.11** It shall be obligatory on the part of the owner to provide proper path/street giving access to the plots into which the land may be divided. The path/streets shall be so provided that it shall connect with regular public or private street. Such path/streets shall be properly demarcated and paved with such other features as may be necessary for the safety of the users.
- 7.12** The owner of the land, while dealing with the land for selling, making plots or otherwise, as mentioned in bye-law 7.11 shall send to the Nagar Panchayat a written application with a layout plan showing the following particulars :—
- (a) the plots into which the land is proposed to be divided for the erection of building thereon and the purpose or purposes for which such building are to be used ;
 - (b) the reservation or allotment of any site for any street, open space park, recreation ground, school, markets or any other public purpose ;
 - (c) the intended level, direction and width of street or streets ;
 - (d) the regular line of street or streets ; and
 - (e) the arrangement to be made for leveling , paving, metalling, flagging, channeling, sewerage, draining, conserving and lighting street or streets.
- 8. Notice for alteration only.**—When the notice is only for an alteration of the building only such plans and statement as may be necessary, shall accompany the notice.
- 8.1** No notice and building sanction is necessary for the following alterations, which do not otherwise violate any provisions regarding general building requirements, structural stability and fire safety requirements of these bye-laws:—
- (a) plastering and patch repairs ;
 - (b) replacement of roofing sheets ;
 - (c) re-flooring and repair of flooring ;
 - (d) opening and closing windows, ventilators and doors not opening towards other's property ;
 - (e) construction or reconstruction of sun-shade not more than 45 cm in width within one's own land and not overhanging over other persons land or property public street/drain ;
 - (f) construction or reconstruction of parapet not exceeding 1 meter in height and also construction or re-construction of boundary walls as permissible under these bye-laws but not exceeding 1.5 meter ;
 - (g) white washing, painting etc. including erection of false ceiling in any floor at the permissible clear height provided the false ceiling in no way can be put to use as a loft mezzanine floor or independent floor and does not result in lowering the height of ceiling to less than the required minimum height ;

(h) erection or re-erection of internal partition shall be allowed provided the same are within the purview of these bye-laws ; and

(i) shifting/relocating water tanks or main gate within one's own compound.

9. Grant of sanction or refusal:—

- 9.1 The Nagar Panchayat may either sanction or refuse the plans and specifications or may sanction them with such modifications or directions as it may deem necessary and thereupon shall communicate his decision to the person giving the notice. If within 60 days of the receipt of notice under 7.1 of bye-laws, the Nagar Panchayat fails to intimate in writing to the person, who has given the notice of its refusal or sanction or any intimation, the notice with its plans and statements shall be deemed to have been sanctioned provided the fact is immediately brought to the notice of the Nagar Panchayat in writing by the person who has given notice and having not received any information from the Nagar Panchayat within fifteen days of giving such written notice. Subject to the conditions mentioned in these bye-laws, nothing shall be constructed to authorize any person to do any thing in contravention or against the terms of lease or titles of the land or against any other regulations, bye-laws or orders operating on the site of the work.
- 9.2 Once the plan has been scrutinized and objections have been pointed out, the owner giving notice shall modify the plan to comply with the objections raised and resubmit. The Nagar Panchayat shall scrutinize the resubmitted plan and if there are further objections, the same shall be intimated to the applicant for compliance after which plan shall be sanctioned.
10. **Duration of sanction.**—The sanction once accepted, shall remain valid for two years from the date of sanction. The building sanction shall have to be got revalidated.
11. **Revalidation of plans.**—Revalidation of plan after the expiry of validity period shall be subject to the following conditions:—
- (a) where work is in progress and there are no deviations, the case may be considered for extension of time ;
 - (b) for cases where there are deviations, the case may be considered on merits after imposing the composition fee as per general guidelines.
12. **Revocation of sanction.**—The Nagar Panchayat may revoke any building sanction issued under the provisions of these bye-laws, where-ever there has been any false statement suppression or any misrepresentation of material facts in the application on which the building sanction was based or if there is a gross deviation during the progress of construction from the sanctioned plan.
13. **Valid Notice.**—Notice containing complete information as required in bye-laws. 7.1.1 shall be considered as valid notice.
14. **Qualifications of Registered Technical Personnel for preparation of Schemes for Building Sanction and Supervision.**—The qualification of the technical personnel and their competence to carry different jobs for building sanction and supervision for the purpose of registration by the Nagar Panchayat or any other officer autho-

rized by it and the registration shall be valid for one calendar year ending 31st December after which it shall be renewed annually, as follow:—

(a) Engineer :

Qualification --The Engineer shall hold such qualification for the purpose of registration as are given in sub-section (3) of section 203 of the Act.

Competence.—The registered Engineer is competent to carry out the work related to building sanction as given and shall be entitled to submit:—

- (i) all plans and related information connected with building sanction ;
- (ii) structural details and calculations for all buildings ;
- (iii) certificate of supervision for all buildings ;
- (iv) sanitary/water supply works for all type of buildings; and
- (v) all layout plans.

(b) Plumber.—Plumber shall be licensed by the Nagar Panchayat through an examination of the candidate having the following minimum qualification.

Qualifications :

- (i) knowledge of Hindi ;
- (ii) working knowledge of drawings and Sketches ; and
- (iii) certificate of training from I.T.I. for the trade with minimum two years experience of execution of sanitary and plumbing works under any Government Department/Local Bodies or licensed Architect/Engineer.

OR

A sound practical knowledge or experience of sanitary and plumbing works under any Government Department/Local Bodies or licensed Architect for a period of five years.

Competence:—A licensed plumber shall be competent to do the following jobs independently:—

- (a) submission of sanitary plans up to 2 storey building ;
- (b) execution of sanitary works of 2 storey building ; and
- (c) execution of sanitary works of all kind of building under the supervision of licensed Engineer.

15.1 Procedure during construction work.—Neither the granting of the sanction nor the approval of the drawings and specifications nor inspection made by the Secretary or any other official of Nagar Panchayat during erection of the building shall in any way relieve the owner of such building from full responsibility for carrying out the work in accordance with the requirements of these bye-laws.

- 15.2 **Notice for commencement of work.**—Before the commencement of the building work at site for which building sanction has been granted, the owner, within a period of maximum one year from the date of sanction, shall give notice to the Secretary of the intention to start the work at the building site in the proforma given in Form-6. The owner shall commence the work within seven days from the date of such notice.
- 15.3 **Document of site.**—The person to whom a sanction is granted shall during construction make readily available for inspection a copy of the approved drawings and specifications.
16. **Notice of completion.**—Every owner shall have to submit a notice of completion of the building to the Secretary regarding completion of the work described in the building sanction. The notice of completion shall be submitted by the owner as per proforma given, in Forms-7, 8 and 9 accompanied by one copy of completion plan in tracing cloth and ferro prints with a fee of Rs. 50/- and the following documents:—
 - (a) copy of sale deed/lease deed, latest tatima, jamabandi, etc. in case of change of ownership ;
 - (b) two photographs showing front and side elevation of the completed structures ; and
 - (c) tax clearance certificate from Nagar Panchayat ;

A committee consisting of Nagar Engineer, Junior Engineer and Sanitary Inspector headed by the Secretary shall inspect the site before according the sanction of the completion plan.
17. **Deviation during construction:**—If during the construction of a building any substantial departure from the sanctioned plan is intended to be made by way of internal alterations or external additions, sanction from the Nagar Panchayat shall be obtained. The revised plan showing the deviations shall be submitted and the procedure laid down for the original plan heretofore shall apply to all such amended plan.
18. **Occupation of building.**—No person shall occupy or allow any other person to occupy any building or part of a building for any purpose until such building or part thereof has been granted the completion certificate.
19. **Completion certificate.**—The Secretary on receipt of the notice of completion shall inspect the work and communicate the sanction or refusal or objection thereto, within 30 days from the date of receipt of notice of completion. If nothing is communicated within this period, it shall be deemed to have been approved by the Secretary for occupation.
20. **Notice on Completion of Plinth Level Work.**—The owner of the building who has completed the work upto plinth level and before the commencement of the super structure work shall give notice to Secretary in Form-10, failing which the construction/structure so raised shall be treated as unauthorized.
21. **Unsafe Building.**—All unsafe buildings shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs, demolition or dealt with under section 117 of the Act.

22. **Distance from electric lines.**—No Varandah, balcony, saiban or the like shall be allowed to be erected or re-erected or any additions or alterations made to a building within the distance quoted below in accordance, with the provisions of Indian Electricity Act and Rules made thereunder, between the building and any overhead electric supply line:—

	Vertically in meters	Horizontally in meters
1	2	3
(a) Low and medium voltage lines and service lines.	2.40	1.22
(b) High voltage lines upto 33000 V.		
(c) Extra high voltage lines beyond 33000 V.	(Plus 0.3 m for every additional 33000 V or part thereof)	(Plus 0.3 m for additional 33000 V thereof).

23. **Minimum Size of Plot:—**

- (i) **Residential use.**—The construction of building for residential use shall not be permitted on any plot, which has an area of less than 90 square meters.
- (ii) **Coverage.**—Maximum permissible coverage of residential building in plots of different size shall be as under:—
- | | |
|-------------------------------------|-----|
| (a) On plots upto 90 sq.m. | 65% |
| (b) On plots of 91 to 250 sqm. | 60% |
| (c) On plots of 251 to 500 sqm; and | 55% |
| (d) On plot above 500 sqm. | 50% |
- (iii) **Set Backs.**—In case of detached houses minimum set backs on main road/path shall be 3.00 metres in front and 2.00 meters other sides. In case of semi-detached houses the minimum set back in front shall be 3.00 metre, on side 3.00 metre and on rear 2.00 metre. Additional coverage of 1.00 metre width shall be permissible on side set back of 3.00 metre on first floor. Further roof projection of 45 cm. shall be permissible, Garage measuring 3.00m X 5.50 m. shall be permissible on the rear.
- (iv) **Row houses set back.**—Minimum set backs on main road/path in case of row houses shall be 3.00 metres in front and 2.00 metres on the rear.
- (v) **Minimum building width.**—No construction of building shall be permitted on a piece of land left with buildable width of less than 5 metres, after maintaining set backs with reference to the size of plot.
- (vi) **Set backs for arterial roads.**—Front set back on arterial roads with right of way of 24 metres, and 18 metres, shall be 7.5 metres and 5 metres respectively. Set back on other roads shall be as given in clause (ii) and (iii) of this bye-law.

- (vii) **Set backs in case of public utility/services.**—The set backs shall not be applicable to the services like petrol pump, electricity sub-station, road side infrastructures/facilities such as rain shelter, land scaping, auto services etc. which are specifically permitted on the acquired width of the road by the Government in case of the Government land or the local authority of the area in case where land belongs to a local authority.
- (viii) **Height of building.**—Minimum and maximum floor height for residential building shall be 2.70 metres and 3.50 metres respectively. No mezzanine floor shall be permissible. Total height of building in no case shall exceed more than 9.50 metres excluding parking floor of 2.20 metres. No structure shall be allowed on valley side of any road with any part of it rising above the road level.
- (ix) **Projection.**—Roof/slab projections and sun shade shall be allowed upto 45 centimetres. Over set back on all sides.
- (x) **Storeys.**—Maximum number of storeys, shall be two including basement and attic. In addition, parking floor with maximum height of 2.20 metres shall have to be provided in case of plots abutting vehicular access. Columns below basement or ground floor shall not be exposed and shall be covered by retaining wall. Every building shall have sloping roof.
- (xi) **Reconstruction of existing building.**—Regulation regarding reconstruction of house building shall be on the existing building lines, provided road with minimum width of 3.00 metres available. Roof projection/sun shades upto 23 centimetres shall be permitted over streets or paths, as the case may be.
- (xii) **Hotel.**—Permission for hotel shall be granted only on a vehicular road with minimum width of 5 metres. The minimum plot size for a hotel shall be 1000 square metres with maximum ground coverage as 45%. The minimum set back shall be 7.00 metres in front and 4.00 metres on all other sides. Number of storeys shall be restricted to two with a total height of 9.50 metres excluding parking floor of 2.20 metres. The owner of the hotel shall have to keep one floor exclusively for parking at road level @ one parking space measuring 20 square metres for every two beds, height of parking floor should not exceed 2.2 metres. This parking floor shall be in addition to the normal two storeys as permissible. Such floor created for parking shall not be used for habitable storage purpose. 50% of the open space on ground shall be allowed for open parking and the rest should be landscaped.
- (xiii) **Ecology not to be Disturbed.**—(a) Change of land use or the development of land shall be made in such a manner that natural profile of the land is least disturbed.
- (b) In case cutting of plot is required the owner shall take measure to protect abutting properties by constructing retaining/breast walls. Cutting above 3.00 metres shall not be allowed.
- (c) Change in the use of land or the development of land shall be made in the manner so as to achieve maximum air, light and sun where it is needed most.
- (xiv) **Carving of plots.**—(1) Orientation of the plots shall be provided in such a manner so that they are in conformity with the integration of existing plots/infrastructure, wind direction, natural flow of surface drainage to allow unobstructed rain water discharge.

- (2) Layout of plots shall be governed by easy access having acceptable grades minimum 1 : 10 and which may not obstruct view of vista..
- (3) For group of plots exceeding 10 in number on one particular access, minimum vehicular access shall be of 5 metres width. However, 3 metres minimum wide pedestrian links can be provided to smaller cluster of plots not exceeding 10 in number.
- (4) **Plot areas.**—(i) Minimum plot area for detached house shall be 150 square metres.
 (ii) Plot area for semi-detached house shall be upto 250 square metres.
 (iii) Plot area for row housing shall be upto 150 square metres.

Provided that in exceptional circumstances for the benefit of economically weaker sections and where the site conditions permit to do so, the Director Urban Development Himachal Pradesh may consider 60 square metre minimum area of plot with two common walls.

- (5) One common wall construction shall be allowed in plots upto 250 square metres and two common wall construction on plots upto 150 square metres subject to the conditions that maximum number of such plots does not exceed 8 in a row, after which a gap of 7 metres shall be left.
- (xv) **Green belt.**—All area possessing substantial green cover belt not classified as "Forest" whether in private ownership or on government land shall be henceforth called green belt :—
 - (a) for the green belt, every effort shall be made to preserve and protect the character of green belt. No sub-division of land in this area shall be allowed for urban functions. Activities promoting afforestation, wild life, picnic and tourism spot shall be permissible in the green belt. Under tourism, only accommodation for the installation of tent and temporary accommodation are allowed. Hill cutting for construction of approach roads shall not be allowed. Felling of trees shall not be allowed for any of the activities mentioned above reconstruction of existing structure shall be permissible on old lines provided that maximum storeys shall be restricted to two storeys only including basement and attic. Provided further that no development/construction shall be allowed in the area falling within the purview of Forest Conservation Act, 1982.
 - (b) Henceforth no construction shall be allowed within a radius of 5.00 metres from the green belt boundary and within a radius 2.00 metres from an existing tree distance shall be measured from the circumference of the tree.
- (xvi) **Earth quake resistant design and construction.**—Earth quake resistance design and construction shall be enforced to prevent destruction. Height of structure should be restricted to 4 storeys and seismic beams shall be provided in plinth level, lintel level as safety measures.
- (xvii) **Collection of Rain Water From the Roof of Building.**—For rain water harvesting a tank in the proposed building shall be constructed by connecting it with the gutter at the top of the roof.

24. **Means of access.**— 24.1 No building shall be erected so as to deprive any other building of the means of access.
- 24.2 Every person who erects a building shall not at any time erect or cause or permit to erect or re-erect any building, which in any way encroaches upon or diminishes the area set apart as means of access.
25. **Open spaces, area and Height limitations.**— 25.1 Every room intended for human habitation shall abut to an interior and exterior open space or on a verandah open to such interior or exterior open space.
- 25.2 The open spaces to be left around the building including set backs, covered area, total build up area, limitations through F.A.R. shall be as per Interim Development Plan for Bhota.
26. **Requirement of parts of Building.**—
- 26.1 **Plinth of buildings.**—The plinth or any part of a building or outhouses shall be located with respect to surrounding ground level so that adequate drainage of the site is assured but not at a height less than 45 centimetres. In case of sloping site the maximum height of the plinth level should however not be more than 2.00 metres including the plinth from the lower most level of the original ground profile.
- 26.2 **Habitable Rooms :**
- 26.2.1 **Size.**—Habitable room shall have a minimum floor area of 9.5 square metres and, shall also have a minimum width of 2-4 metres. In the hostels attached to recognized educational institutions the minimum size of a habitable room should be 7.5 square metres.
- 26.2.2 **Height.**—The maximum height of each floor excluding thickness of slab shall be 2.75 metres including the beam. The maximum height of the floor shall not be more than 4 metres measured from the surface of the floor to the lowest point of the ceiling (Bottom of slab).
- 26.2.3 at least 1/6 area of the living room shall be rendered for sufficient air and light by providing windows or ventilators.
- 26.2.4. Every room except, kitchen, bath, store, water closet, study room, puja room and dinning room is a habitable room.
- 26.3 **Kitchen:—**
- (a) The area of the kitchen shall not be less than 4.50 square metres with a minimum width of 1.80 metres.
- (b) A kitchen, which is also intended to be used as a dinning room, shall have a floor area not less than 7.50 square metres with minimum width of 2.10 metres.
- (c) The door of the kitchen shall be fly proof and the entire kitchen shall be well lit and well ventilated ;
- (d) Unless, separately provided in a pantry, means for the washing of kitchen utensils shall be provided, which shall lead directly or through a sink to grated or trapped connection to the waste pipe.
- (e) A kitchen shall have a sink with minimum dimension of 0.60 metre by 0.45 metre or a water proof washing tray of minimum 10 centimetres depressed into floor.

- (f) An effective flue/exhaust fan shall be provided with other sufficient arrangements to prevent any smoke flowing from the kitchen.
- (g) The floor of the kitchen shall be of impervious and fire resistance nature.
- (h) Height of the kitchen shall be equal to the height of habitant room.

26.4 Bath Rooms and Water Closets :—

26.4.1 Size.—The size of a bath room shall not be less than 1.80 square metre with a minimum width of 1.20 metres and minimum length of 1.50 metres. The minimum size of the water closet shall be 1.1 square metres, with a minimum width of 0.90 metres and minimum length of 1.20 metres. If it is a combined bath room and water closet, the minimum area shall be 2.8 square metres with a minimum width of 1.2 metres, and minimum length 2.35 square metres.

26.4.2 Other requirements.—Every bathroom or water closet shall:—

- (a) be so situated that at least one of its walls shall open to external air and shall have a minimum opening in the form of window or ventilation to the extent of 0.37 square metres or if external wall is not possible it shall abut to shaft with minimum dimension of 0.90 metres where exhaust fan shall be provided for ventilation.
- (b) not be directly over or under any room other than another latrine, washing place, bath or terrace unless it has a water tight floor ;
- (c) be provided with an impervious floor covering sloping towards the drain with a suitable grade and not towards verandah or any other room ;
- (d) have water tight seats with non absorbent material ; and
- (e) be enclosed by walls or partitions and the surface of every such wall partition shall be furnished with a smooth impervious material to a height of not less than 1 metre above the floor of such a room.

26.4.3 No room containing water closet shall be used for any purpose except as a lavatory and no such room shall open directly into any kitchen or cooking place by a door, window or other opening. Every room containing water closet shall have a door completely closing the entrance to it.

26.4.4 When the outer doors of latrine/prives open, the seat shall not be visible from the street or other public place.

27. Mezzanine Floor:—

27.1 Size.—Mezzanine floor shall be permitted only between ground floor and first floor in only commercial buildings, such as Banks, Restaurants etc. The Mezzanine area upto 25% of the actual covered area on the ground floor is permissible and shall be counted in the F.A.R.

27.2 Height.—The height of mezzanine floor shall not be less than 2.20 metre and not more than 2.75 metre.

27.3 Other requirements.—A mezzanine floor may be permitted over a room or a compartment provided that:—

- (a) the mezzanine shall have direct light and ventilation to the extent of 10% of its floor area ;
- (b) it is constructed so as not to interfere under any circumstances with the ventilation of the space over and under it and does not violate any other bye-law ;

- (c) such mezzanine floor or any part of it shall not be used as kitchen ; and
- (d) in no case a mezzanine floor shall be closed so as to make it liable to be converted into unventilated compartments.

28. **Basement.**—Basement shall be considered as storey. A cavity wall with at least 6" cavity drain shall have to be provided against hill side in basement Floor.

29. **Store room:—**

29.1 **Size.**—The area of a store room shall not be less than 3 square metre. In case, the area of the store room is more than 3 square metres, the light and ventilation requirement to the extent of 10% of the floor area shall have to be provided.

29.2 **Height.**—The height of store room shall be equal to the height of habitation room.

30. **Private Garage:—**

30.1 Garage in the compound or on land adjoining to the building of a house can be permitted provided that the maximum height of the garage shall be 2.20 metres and provided that on the valley side the garage shall be constructed by constructing retaining wall filled with boulders/ earth upto road level provided further that the depth of original profile shall not exceed 2 metres from the road level. The garage shall however be permitted after having proper front set back and the applicant shall have to obtain the No objection certificate from the competent authorities.

30.2 The provision of one parking floor in the building shall be allowed with maximum height of 2.20 metre from the surface of the floor to the lowest point of the ceiling and also exempted from the F.A.R. provided that the parking floor level abuts on the road which is through for vehicular traffic.

30.3 The size of private garage in the open plot shall not be less than 2.50 mts. x 5.00 mts. or the size of the vehicle. However, due to topographical constraints this provision can be relaxed, for small cars, by the Nagar Panchayat.

31. **Balcony:**—The building or a unit of the building shall have a balcony on any of the side. The width of the balcony shall not be more than 1.2 meter, and the balcony shall normally face the frontage.

32. **Corridors:**—The minimum width of a corridor in a residential building shall be one meter and in all other buildings 1.20 metre.

33. **Lifts:—**

33.1 Where lift is available all the floors of the building shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency/fire.

33.2 Grounding switch, at ground floor level, to enable the fire service to board on the lift in case of an emergency shall also be provided.

33.3 The lift machine room shall be separate and no other machinery shall be installed therein.

34. **Roof:—**

34.1 The roof of a building shall be so constructed or framed with such slope as to permit effective clearance of the snow and drainage of the rain water by means of rain water pipes of adequate size.

- 34.2 The maximum angle of the roof from outer edge of the wall to the ridge shall ordinarily be 30 degree.
- 34.3 However often some pinnacles/spires or domes are constructed for adding beauty to the building or for ensuring aesthetic requirements. These may be permitted/regularized over and above 14 mts. Maximum height of the building provided such spires/ pinnacles or domes are so constructed that these are non habitable.
35. **Terrace/Glass House/Mumti:**—The terrace at roof level shall be allowed equal to 1/3rd area of the tope floor. In this area the owner can also construct glass house/terrace garden subject to the condition that such glass house does not go higher than the ridge of the roof.

The owner may also be permitted to install solar system and in case such installation is above the roof and results in exceeding the maximum height of 14 mtrs. of the building the same can be considered for sanction depending upon the merit of the each case. Mumty and stair case to the terrace at roof level shall be allowed. The clear height of mumty shall not exceed 2.20 mtrs. from mid landing and waist slab of the staircase, leading to terrace, at any point of the building.

36. **Stairs:**—36.1 : The width of the stair case leading to any floor of a residential building shall not be less than one metre and for building other than the residential building the following minimum width shall be provided:—

- | | |
|--|---------|
| (a) Hotels, flats, hostels, group housing and educational building like schools, colleges etc. | 1.50 m. |
| (b) Institutional building like Hospitals and assembly buildings like auditorium, theatres, cinemas. | 2.00 m. |

- 36.2 The minimum width of the treads without nosing shall be 25 cm for an internal stair case for residential buildings. In case of other building the minimum tread shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping. Winders shall be allowed in residential buildings provided they are not at the head of downward flight.

- 36.3 The maximum height of rise shall be 19 cm in case of residential buildings and 15 cm in the case of other buildings. They shall be limited to 15 per flight.

- 36.4 The minimum head room in the passage under the landing of stair case shall be 2.20 metre.

- 36.5 Interior staircase shall be constructed as a self-contained unit with at least one side adjacent to an external wall and shall be completely enclosed. For building more than 12 metre height, all staircase shall be enclosed.

37. **Spiral Stair Case:**—37.1 In commercial building consisting of three or more storeys, provisions of spiral stair case other than a regular stair case, as fire escape shall be provided.

- 37.2 The spiral fire escape shall not be less than 1.50 meter in diameter and shall be designed to give adequate head room.

38. **Ramps:**—38.1 : Ramps with a slops of not more than 1 in 10 may be substituted for stairways and shall comply with all the applicable requirements of required

stairways as to enclosure, capacity and limiting dimensions, larger slopes shall be provided for special uses but in no case greater than 1 in 8. For all slopes exceeding 1 in 10 and where the use is such as to involve danger of slipping, the ramp shall be surfaced with approved non-slipping material.

- 38.2 The minimum width of the ramps in hospitals shall be 2.25 m.
- 38.3 Handrails shall be provided on both sides of the ramp.
- 38.4 Ramps shall lead directly to outside open spaces at ground level or courtyard or safe place.
39. **Re-erection of Building on old line.**—The permission for re-erection on old line for dilapidated, burnt and unsafe building may be considered after receiving the notice from the owner of the property.
 - 39.1 The notice shall accompany with old sanctioned plan or plan of the existing building duly certified by a licensed Architect/ Graduate Engineer.
 - 39.2 The notice shall accompany with all the documents as required for new proposed erection of buildings.
 - 39.3 The sanction for re-erection shall be given for the existing covered area and number of floors and with the same height.
 - 39.4 The sanction for re-erection shall be given at the same plinth level.
 - 39.5 In heritage zone the sanction for the re-erection shall be given only after maintaining old existing facade of the building.
40. **Basic Amenities.**—The basic amenities such as a water connection, sewage connection and electric connection shall only be given on the following terms:—
 - (a) One water connection on commercial basis shall be given for the construction purpose only after proposed plan is sanctioned subject to availability of water.
 - (b) No objection certificate for one temporary electric connection shall be issued for construction purpose only after proposed plan is sanctioned and construction is carried out as per sanctioned plan.
 - (c) Water connection on domestic basis shall be given only after the completion plan of the particular floor/portion/whole of building is sanctioned. For the remaining construction the owner will be provided the trade connection.
 - (d) No objection certificate for permanent electric connection shall be issued only after completion plan of particular floor/whole of building is sanctioned.
 - (e) Sewerage connection shall be given only after the completion plan of the particular portion/floor and whole of the building is sanctioned.
 - (f) if the case of old existing building where the completion plan has not been sanctioned, the trade water connection shall be given to the occupier/owner till the completion plan is sanctioned.
41. **General :**
 - 41.1 In Bazar area and in all other areas which may be considered to be congested area by the Nagar Panchayat every building abutting on the valley side of a street shall be constructed so as to be within a building angle of not more than $37\frac{1}{2}$ degree. In case of a building abutting on the other side of a street a building angle of not more than 45 degree shall be allowed.

Note.—The term building angle means the angle formed between the horizontal line at street level and line drawn from higher point of proposed building to the farthest edge of the street opposite the proposed buildings.

- 41.2 No building shall be constructed on a vacant site/plot within any area restricted by the State Government without its prior approval.
- 41.3 The specifications for the construction of buildings other than residential buildings shall be as per National Building Code.
- 41.4 The specifications for the installation of fire control system may be as per National Building Code.
- 41.5 The walls of every building shall be constructed of non-inflammable material and in the case of partition walls between adjoining houses their thickness shall be not less than 23 cm.
- 41.6 Number of storeys and conversion of residential viz painted, distempered, white washed, roof painted at least once in three years by the owner/tenant.
- 41.7 Every building is required to be renovated viz. painted, distempered, white washed, roof painted at least once in three years by the owner/tenant.
- 41.8. No building shall be constructed adjoining the road (National Highway) and (State Highway) without leaving the set backs as may be prescribed by the State Government from time to time and after obtaining No. objection Certificate from the State/PWD as the case may be.
- 41.9 Not more than one dwelling unit per floor will be allowed in residential buildings constructed in plots having an area upto 250 sqm. For plots measuring over 250 sqm. one additional dwelling unit may be allowed and thereafter for every 100 sqm. additional area of the plot additional dwelling unit may be considered.
- 41.10 Where tree is involved no building application shall be considered where the distance between building and outer edge of tree is less than 2 mtr.
42. **Site Development :**
- 42.1 The development of land shall be made in such a manner that natural profile of the land is least disturbed and disposal of surplus earth shall be made only on those points as specified by Nagar Panchayat from time to time.
- 42.2 Where, it is essential to develop a plot by cutting, it shall be the responsibility of the plot owner to provide, according to the engineering specifications, retaining and breast walls so that such cutting of natural profile of the land may not harm the adjoining uphill side properties. However, cutting of natural profile shall not exceed more than one storey (3 meters in any case having a provisions of diaphragm wall or step housing).
- 42.3 The development of land shall be made in such manner so as to achieve maximum air, light and sun where it is needed most.
43. **Carving of plots :**
- 43.1 Orientation of the plots shall be provided in such a manner so as to be in conformity with the integration of existing plots/Infrastructure, wind direction, natural flow of surface drainage to allow unobstructed rain water discharge.
- 43.2 Layout of plots shall be governed by ways/access having acceptable grades i.e. minimum 1 : 15 and which may not obstruct view or vista.

- 43.3 For group of plots exceeding 10 in number on one particular access minimum vehicular access shall be of 5 metres width. However, 3 metres minimum wide pedestrian links can be provided to smaller cluster of plots not exceeding 10 in number.
44. **Construction of Temporary Structure.**—The owner may construct with prior permission of the Nagar Panchayat single storey temporary structure within the boundaries of the site, for builders office, storage of building material shelter for labour etc. during the construction of building thereon or adjoining thereto. This temporary structure shall remain for the period specified in the sanction.
45. **Regularization of Un-authorized Construction/Deviation from the Sanctioned Plan/Violation of provisions of Interim Development Plan/Development Plan/Zonal Plan/Nagar Panchayat bye-laws.**

45.1 Compoundable Item :

45.1.1.—If there is deviation from the sanctioned plan but setbacks are intact and the construction is within permissible entitlement of coverage as admissible on the date of filing of the plans, the composition fee shall be charged at the following rates:—

- (a) for the deviation upto 10% of the sanctioned area, the composition fee may be charged @ 10% of the cost of construction ;
- (b) for the deviation upto 20% of the sanctioned area, the composition fee may be charged @ 10% of the cost of construction for deviation upto 10% and 20% cost of construction for the deviation from 10% to 20% ;
- (c) for the deviation above 20%, the composition fee may be charged @ 10% cost of construction for the deviation from 01 to 10% and 20% cost of construction for the deviation from 10% to 20% and 100% cost of construction for the deviation above 20%.

45.1.2 If there is deviation from the sanctioned plan and set backs are disturbed, the deviation may be considered for compounding as given below:—

- (a) where the deviation in set backs at any floor/at plinth level is upto 10% of the sanctioned plan the same may be compounded @ 20% of the cost of construction, subject to the conditions that:—
 - (i) there should not be any hindrance/nuisance to the adjoining building/plot/path road street/drain and neighbourhood etc.
 - (ii) the erection of building should not be on any Government land belonging to or the land vested in the Nagar Panchayat or local Authority.
 - (iii) the construction should not be in contravention to the provisions of the Himachal Pradesh Roadside land Control Act, 1969.
- (b) Any person aggrieved by the decision of the Nagar Panchayat under 45.1.2(a) of these bye-laws, may within thirty days from the passing of the order by the Nagar Panchayat in the manner prescribed in "Appendix—A", appeal to the Deputy Commissioner.

- (c) Any person agreed by the decision of the Deputy Commissioner in appeal under clause (b), may, within thirty days from the order made by the Deputy Commissioner and in the same manner as prescribed in (b) above shall, appeal to the State Government.
- (d) The appellate authority may for reasons to be recorded in writing, allow the appeals to be filed after the expiry of the period of thirty days specified in (b) and (c) and for calculating the aforesaid period of thirty days, the time spent in procuring the certified copies of the orders to be appealed against shall be excluded.

Note.—1. For the purpose of compounding, the average rate of construction of the year of sanction and year of completion/submission of map shall be taken.

2. For purpose of compounding balconies/projections, half the rate of construction shall be taken.

3. The maximum permissible percentage of deviation is inclusive of the area of balconies/projections.

46. Repeal and Saving:—

1. The Bhota Nagar Panchayat Building bye-laws notification No LSG-1-A (3)1/90 dated 26 september, 1991 are hereby repealed.
2. Notwithstanding such repeal under clause (1) *supra*, any order, registration, license, certificate, notice, decision, sanction, approval, authorized, or consent made, issued or given under such bye-laws shall continue to be in force and have effect as if it were made, issued or given under corresponding provisions of these bye-laws, and every building plan sanctioned or approved prior to the commencement of these bye-laws and any application in relation hereto shall be disposed of in accordance with the provisions of the said bye-laws, as if the said bye-laws had continued to be in-force and these bye-laws had not been framed.

APPENDIX-"A"

(See bye-laws 45.12)

1. The appeal shall be preferred under sub-section 2A to 2B of the section 211 in writing to the following namely:—
 - (i) It shall specify the date of order appealed against a copy of the order thereof shall be attached.
 - (ii) It shall be specify a clear statement of the facts and the grounds on which the appeal is preferred.
 - (iii) It shall specify precisely the relief prayed for.
 - (iv) It shall contain the following verification certificate duly signed by the applicant(s).

I.....do hereby declare that the facts and contents stated above are true to the best of my knowledge and belief.

2. The appeal under sub-section (2) shall be accompanied by a fee of Rs. 5.00 through Treasury Challan.

FORM-I

(See bye-law 7.1.1)

FORM FOR FIRST APPLICATION TO ERECT-RE-ERECT OR TO MAKE MATERIAL ALTERATION IN ANY PLACE IN A BUILDING

To

The Secretary,
Nagar Panchayat, Bhota,
District Hamirpur, Himachal Pradesh.

Sir,

I hereby give notice that I intend to erect/re-erect/demolition or to make alteration in the building No.....OR.....On/in plot No./Khasra No..... situated at.....Bhota in accordance with the building bye-laws of Nagar Panchayat, Bhota, I forward herewith, the following plans and specification duly signed by me and.....(Name in block letter), the Engineer who have prepared the plans, design etc. and will supervise its erection. The copies of other following documents (as applicable) are attached herewith:—

1. Key plan/Location plan
2. Site plan
3. Building plan alongwith structural design
4. Service plan
5. Ownership title
6. Jamabandi, tatima
7. Demarcation certificate
8. General Specifications
9. Attested copy of Receipt for payment of application fee
10. Two photographs of site from different angles
11. Other documents, as required

I request that the construction may be approved and permission may be accorded to me to execute the work.

Signature of the owner.....
Name of Owner (in block letter).....
Address of owner.....

Dated.....

NAGAR PANCHAYAT, BHOTA

FORM-2

(See bye-law 7.1.1)

CERTIFICATE

It is to certify that the structural design of proposed building of Shri.....
s/o Shri.....Khasra No.....

Hamirpur has been prepared by me. The various parameters taken for this structural design are as follows:—

1. Soil bearing capacity
2. Structural design for No. of floors
3. Seismic consideration
4. Factor of safety

Signature of Registered Engineer

Name of Registered Engineer

(in block letters)

Registration No. of Registered Engineer

Address of Registered Engineer

Dated.....

NAGAR PANCHAYAT, BHOTA

FORM-3

(See bye-law 7.6)

FORM FOR SPECIFICATION OF PROPOSED BUILDINGS

(a) The purpose (Residence, Office, Godown, Restaurant):—

Hotel, Dharamshala, School, Hostel, Cinema, Shop:—

Factory, Stable for which it is intended to be used.

(b) Details of coverage on respective floors are given below:—

	<u>Existing</u>	<u>Proposed</u>	<u>Total</u>
1. Basement Floor			
2. Ground Floor			
3. Mezzanine Floor			
4. First Floor			
5. Second Floor			
6. Third Floor			

(c) Approximate number of inhabitants proposed to be accommodated.

(d) The number of latrines, urinals, kitchens, baths to be provided.

(e) The source of water to be used in the construction.

(f) Distance from public sewer.

(g) The material to be used in construction Walls/Columns/Foundations/Roof Floors.

Signature of Registered Engineer.

Name of Registered Engineer,

(in block letters).

Registration No. of Registered Engineer.

Address of Registered Engineer.

Dated.....

NAGAR PANCHAYAT, BHOTA

FORM-4

(See bye-law 7.9)

To

The Secretary,
Nagar Panchayat, Bhota,
District Hamirpur, Himachal Pradesh.

Sir,

I hereby certify that the erection/re-erection/demolition or material alteration in/of building.....on/in plot No./Khasra No.....situated at shall be carried out under my supervision and I certify that all the material (type and grade) and the workmanship of the work shall be generally in accordance with the general specifications submitted alongwith and that the work shall be carried out according to the sanctioned plans.

Signature of Registered Engineer

Name of Registered Engineer

(in block letters)

Registration No. of Registered Engineer

Address of Registered Engineer.

Dated.....

NAGAR PANCHAYAT, BHOTA

FORM-5

(See bye-law 7.9)

To

The Secretary,
Nagar Panchayat, Bhota,
District Hamirpur, Himachal Pradesh.

Sir,

I hereby certify that the drainage/sanitary and water supply works shall be executed by me or under my strict supervision for the work of erection/re-erection demolition or material alteration of the proposals for which building permit application in respect of building..... on/in plot No. Khasra No.....situated at.....and I certify that all the materials workmanship of the work shall be in accordance with the standatd laid down by and the provision of the building bye-laws and that the work shall be carried out in accordance with the sanctioned plan.

Signature of Registered Engineer

*Name of Registered Engineer/Plumber.
(in block letters).*

*Registration No. of Registered Engineer/
Plumber.*

Address of Registered Engineer

Dated.....

NAGAR PANCHAYAT, BHOTA

FORM-6

(See bye-law 15.2)

To

The Secretary,
Nagar Panchayat, Bhota,
District Hamirpur, Himachal Pradesh.

Sir,

I hereby certify that the erection/demolition or material alteration in/of building No..... commenced on.....as per your permission vide office communication No..... dated.....in accordance with the plans sanctioned.

*Signature of the owner.....**Name of owner (in block letter).....**Address of owner.....*

Dated.....

NAGAR PANCHAYAT, BHOTA

FORM-7

(See bye-law 16)

(To be submitted alongwith fees of Rs. 50/- for notice of completion and other relevant documents)

To

The Secretary,
Nagar Panchayat, Bhota,
District Hamirpur, Himachal Pradesh.

Sir,

I/we hereby given notice that I/we have completed the erection of the building execution of the work in plot No./Khasra No.....situated at.....in pursuance of sanction granted by the Nagar Panchayat vide dairy No.....dated.....

Permission to occupy or use the building may be granted.

Yours faithfully,

Signature of the owner.....

Name of owner (in block letter).....

Address of owner.....

Dated.....

NAGAR PANCHAYAT, BHOTA

FORM-8

(See bye-law 16)

(FOR THE CERTIFICATE OF REGISTERED ENGINEER)

(To be submitted along with notice of completion)

To

The Secretary,
Nagar Panchayat, Bhota,
District Hamirpur, Himachal Pradesh.

Sir,

I hereby certify that the erection/re-erection or material alteration in/at building No.....
.....on/in plot No./Khasra No.....situated at has been supervised by me and

has been completed on according to the plans sanctioned. vide office communication No. dated

The work has been completed to my best satisfaction, the workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specifications No. provisions of the Building Bye-Laws, no requisition made, conditions prescribed or orders issued thereunder have been transgressed in the course of the work. The building is structurally fit for use which it has been erected/re-erected or altered/constructed and enlarged.

Signature of Registered Engineer.

*Name of Registered Engineer/Plumber
(in block letters).*

*Registration No. of Registered Engineer/
Plumber.*

Address of Registered Engineer.

Dated

NAGAR PANCHAYAT, BHOTA

FORM-9

(See bye-law 16)

To

The Secretary,
Nagar Panchayat, Bhota,
District Hamirpur, Himachal Pradesh.

Sir,

I/We undersigned hereby give you notice that the drainage work in the premises of Plot No./Khasra No. locate at will be completed entirely and ready for your final inspection on the (date) at (time) and request inspection and approval of the same.

The work was sanctioned by the Nagar Panchayat, Bhota vide letter No. dated

Signature of the owner

Name

Address

Certify that the sanitary/water supply work has been executed under my supervision and as per building bye-laws/sanctioned plan.

Signature of Plumber/Engineer

Name of Plumber/Engineer.

Registration No.

Address

(Nagar Panchayat, Bhota) Building Section file No.....dated.....
Certified that the above works have been inspected and approved.

Secretary,
Nagar Panchayat, Bhota.

FORM-10

(See byo-law 20)

To

The Secretary,
Nagar Panchayat, Bhota,
District Harirpur, Himachal Pradesh.

Sir,

I the owner of plot No./Khasra No.....situated at.....in relation
to which the building plan was sanctioned vide your office order No.....dated.....
do hereby intimate that I have completed the work up to plinth level for your information and
record.

Signature of the applicant/Owner.

Name and Address.....

.....

Dated.....

